

NO. PD-1037-16

In the Court of Criminal Appeals of Texas

FILED
COURT OF CRIMINAL APPEALS
3/9/2017
ABEL ACOSTA, CLERK

THE STATE OF TEXAS, APPELLANT

V.

REINALDO SANCHEZ, APPELLEE

ON PETITION FOR DISCRETIONARY REVIEW
FROM CAUSE NO. 13-15-00288-CR
IN THE THIRTEENTH COURT OF APPEALS,
REVIEWING CAUSE NO. CR- 3054-14-D
206th JUDICIAL DISTRICT COURT OF HIDALGO COUNTY, TEXAS
HON. Rose Guerra Reyna PRESIDING

STATE/APPELLANT'S MOTION FOR LEAVE TO FILE A LATE BRIEF

RICARDO RODRIGUEZ, JR.
CRIMINAL DISTRICT ATTORNEY
HIDALGO COUNTY TEXAS

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ATTORNEYS FOR THE STATE

Oral argument is not requested

IDENTITY OF PARTIES AND COUNSEL

APPELLANT in this case is the State of Texas, by and through her District Attorney for Hidalgo County, the Hon. Ricardo Rodriguez, Jr., Office of Criminal District Attorney, Hidalgo County Courthouse, 100 N. Closner Blvd., Edinburg, Texas 78539.

APPELLANT is represented on appeal by Hon. Michael W. Morris, Assistant District Attorney for Hidalgo County, Hidalgo County Courthouse, 100 N. Closner Blvd., Edinburg, Texas 78539.

APPELLANT was represented at trial by the Hon. Neel Kapur, Assistant District Attorney for Hidalgo County, the Hon. Joaquin Zamora, and the Hon. Victoria Muniz, Assistant District Attorney for Hidalgo County, Hidalgo County Courthouse, 100 N. Closner Blvd., Edinburg, Texas 78539.

APPELLEE in this case is Reinaldo Sanchez.

APPELLEE is represented on appeal by the Hon. Victoria Guerra, 3219 N. McColl Rd., McAllen, Texas 78501.

APPELLEE was represented at trial by the Hon. Robert Salinas and the Hon. Roel Gutierrez, 2101 Wood Ave, Donna, Texas 78537.

TO THE HONORABLE COURT OF CRIMINAL APPEALS OF TEXAS:

Appellant, The State of Texas, respectfully requests a thirty-day extension of time to file his petition for discretionary review. *See* TEX. R. APP. P. 68.2(c).

The Thirteenth Court of Appeals rendered its opinion and judgment in *Jose The State of Texas v. Reinaldo Sanchez*, No. 13-15-00288-CR on July 21, 2016, This Court granted petition for discretionary review was is due on January 25, 2017. Therefore the State's brief was due on February 24, 2017. The undersigned attorney was unable to complete the brief by that time, but has now finished the State's brief. The undersigned counsel has conferred with counsel for the Appellee, who does not oppose the relief requested in this motion.

The undersigned counsel is lead counsel for Appellant and has the sole responsibility for filing the petition for review in this case. The demands of other cases have made this extension necessary, and good cause exists for the extension. Specifically, the undersigned counsel has been preparing the State's response in Cause No. CR-24653-15-B(1), *Ex parte Guadalupe Garcia III*. Additionally, the undersigned was involved in the process of first requesting a death warrant on CR-9722-97-G, *The State of Texas vs. Ruben Ramirez Cardenas*. Subsequently, the undersigned was also involved in the withdrawal of said death warrant to conduct a

meeting with the United States State Department, without threat of an impending execution date. There after the undersigned was involved in the meeting with the U.S. Dept. of State.

Additionally, the undersigned was on a family vacation from February 6 through February 13, 2017. The undersigned also had military drill on February 25 through the 26 and was dealing with an illness in the house from March 2 through the 6.

For all the foregoing reasons, Appellant respectfully requests that the Court grant this unopposed motion to allow for the filing of late brief, and any further relief to which it may be justly entitled.

Respectfully submitted,

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CRIMINAL DISTRICT ATTORNEY
HIDALGO COUNTY TEXAS



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ATTORNEYS FOR THE STATE

Certificate of Conference

I certify that I conferred with Victoria Guerra, counsel for Appellee, who informed me that the Appellee does not oppose the relief requested in this motion.



Michael W. Morris, Assistant
Criminal District Attorney

State Bar No. 24076880

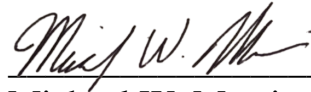
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CERTIFICATE OF DELIVERY

I certify that on March 8, 2017, in compliance with Texas Rule of Appellate Procedure 9.5, I served this document on the following counsel of record by electronic mail and/or by facsimile:

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